

2662

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# TRANSMITTAL FORM

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Total Number of Pages in this Submission: 4

Application No.	09/905,483
Filing Date	7/13/2001
First Named Inventor	James M. Avery
Group Art Unit	2662
Examiner Name	Kizou, Hassan
Attorney Docket No.	SUN-P5493-MDF

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## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement and PTO Form 1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers for Application <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Check for \$ _____	<input type="checkbox"/> Request for Refund <input type="checkbox"/> After-Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Response to Official Action mailed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s):
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Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Name	Hoyt A. Fleming III	Date	3/17/2004
Signature		Telephone	(208) 336-5237
Address	Park, Vaughan & Fleming LLP, P.O. Box 140678, Boise, ID 83714	Facsimile	(208) 342-5363

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as ☐ Express Mail or ☒ First Class Mail in an envelope addressed to: Mail Stop Patent Application; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 on 3/17/2004.

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97** MAR 23 2004

Technology Center 2600

**Inventors:** James M. Avery  
**Title:** METHOD FOR MERGING A PLURALITY OF DATA STREAMS INTO A SINGLE DATA STREAM  
**Filing Date:** 7/13/2001  
**Serial Number:** 09/905,483  
**Group Art Unit:** 2662  
**Examiner:** Kizou, Hassan

On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

☒ This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits.

☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but

before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- ☐ a certification as specified in § 1.97(e) is provided below; **or**
- ☐ a fee of \$240.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement. Please note that a check in the amount of \$240.00 is enclosed in payment.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- A. a certification as specified in § 1.97(e) is completed below; **and**
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in § 1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III  
Reg. No.: 41,752

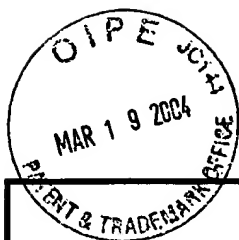
Signature: \_\_\_\_\_



Date: 3/17/2004

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**28422**



# INFORMATION DISCLOSURE CITATION

PTO-1449

## Complete if Known

Application No.	09/905,483
Filing Date	7/13/2001
First Named Inventor	James M. Avery
Group Art Unit	2662
Atty. Docket No.	SUN-P5493-MDF

## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASSIFICATION
	5,889,776	03-1999	Liang, Chao-Yu	370/389
	6,483,841	11-2002	Chang et al.	370/412
	6,363,077	03-2002	Wong et al.	370/422
	4,677,616	06-1987	Franklin, Andrew D.	370/423
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	6,574,708	06-2003	Hayter et al.	711/118
	6,571,321	05-2003	Rowlands et al.	711/141

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## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
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						<input type="checkbox"/>	<input type="checkbox"/>

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.